

REMARKS

Applicant elects as a PDE4 inhibitor, the species XX5 with traverse. Claims 1-7 are drawn to a method for providing a patient with a formulation comprising any PDE4 inhibitor, i.e. an inhibitor that specifically inhibits Type 4 cyclic adenosine monophosphate phosphodiesterases.

Applicants demonstrate that multiple PDE4 inhibitors work in the present invention. See Examples 4-6 at pages 18-22 and the accompanying figures. They show that the invention works with rolipram and XX5. Indeed, at page 22, it is explicitly taught that "[i]t is not intended that the present invention be limited to only one particular inhibitor" and goes on to discuss that invention works with a variety of PDE4 inhibitors – specifically exemplifying XX5 as a further PDE4 inhibitor.

At the time of filing, a number of PDE4 inhibitors were known in addition to rolipram and XX5. For example, Table 2 in Souness et al., Cell. Signal., lists, as a group, several known Type 4 cyclic adenosine monophosphate phosphodiesterase inhibitors. Kelly et al., Biochem. J., 318, pp. 425-436, 1996 and Teixeira et al., Trends in Pharmacological Sciences, 18(5): 164-71, 1997 also refer to several different Type 4 cyclic adenosine monophosphate phosphodiesterase inhibitors as a class. For example, Table 1 of Kelly et al. and Table 2 of Teixeira et al. both refer to several different compounds, all of which function as Type 4 cyclic adenosine monophosphate phosphodiesterase inhibitors.

The specification explicitly teaches that Type 4 cyclic adenosine monophosphate phosphodiesterase inhibitors **in general** are useful in the present invention. And, that is what is specifically claimed.

The examples show that two different inhibitors work as taught. And since that time, this teaching has been confirmed with other PDE4 inhibitors. It is, therefore, respectfully submitted that the Examiner examine claims 1-7 as presented, without restriction to a single species.

In view of the foregoing, Applicant respectfully submits that all claims are in condition for allowance. Early and favorable action is requested.

Application No. 10/060,759
Restriction Requirement dated December 23, 2003
Response to Restriction Requirement mailed April 21, 2004

In the event that any additional fees are required, the PTO is authorized to charge our deposit account No. 50-0850.

Respectfully submitted,

Date: April 21, 2004

A handwritten signature in black ink, appearing to read "Ronald I. Eisenstein", written over a horizontal line.

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